



PATENT
Customer No. 22,852
Attorney Docket No.: 06267.0053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Ilkka LARMA et al.)	Examiner: R. Joynes
)	
Application No.: 09/673,794)	Art Unit: 1615
)	
§ 371 Filing Date: December 20, 2000)	

For: CONTROLLED RELEASE PERORAL COMPOSITIONS OF LEVOSIMENDAN

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Terminal Disclaimer

Assignee, Orion Corporation, duly organized under the laws of Finland and having its principal place of business in Espoo, Finland, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 09/673,794, having a § 371 filing date of December 20, 2000, for CONTROLLED RELEASE PERORAL COMPOSITIONS OF LEVOSIMENDAN in the names of Ilkka LARMA et al., as indicated by an assignment duly recorded in the United States Patent and Trademark Office at Reel 011406, Frame 0525 on January 4, 2001. Assignee, Orion Corporation, further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,531,458.

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,531,458. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during

such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

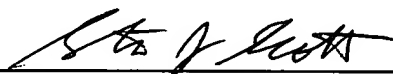
Please grant any extensions of time required to enter this Terminal Disclaimer and charge any additional required fees to our deposit account 06-0916.

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 3, 2003

By: 
Steven J. Scott
Reg. No. 43,911